## Exhibit "A"

Case 3:04-cv-30189-KPN

Document 67-2

## Message from D.J. Evers

A recent injury to an employee occurred when the employee attempted to re-position 0307 rail gear (Manually operated) which had rotated past the normal position (passed over center), resulting in the hy-rail wheels being locked in the down position.

An analysis of this injury showed the root cause to be the operator using an improper hand lever (Bar) to lower the hy-rail gear. The proper hand lever (Bar) has a single bend at each end, which will prevent the operator from leveraging the bar past the bumper of the truck. This prevents the gear from accidentally rotating by the stops and rotating past the normal position. The hy-rail stop mechanism, which consists of a set screw and steel bulk head, is speced to have the set screw adjusted between 1/8 to 1/2 inch from the steel bulk head. This design allows for wear of the hy-rail wheels and additional weight, which may occur between inspections. If the proper hand lever is used, the 1/8 to 1/2 inch adjustment will not affect the safe lowering of the gear. But using the improper hand lever (Bar), the 1/8 to 1/2 inch space is enough to allow the gear to rotate past the normal center.

Effective immediately, all hy-rail operators must verify they have the proper hand lever ("single bend at each end bar") to safely position 0307 hy-rail gear (bar used to manually lower and raise hy-rail gear) which the vehicle was equipped with from the manufacturer. The proper hand lever (Bar) will be stopped by the trucks bumper before it forces the gear by the stops, resulting in the gear by-passing center.

Improper hand levers (bars) are to be turned into supervisors for proper disposal, and proper hand levers (bars) are to be supplied to the operator. Also, if hy-rail gear is found to be operating improperly it must be serviced by a hy-rail vendor as soon as possible.

If hy-rail gear rotates past the normal position (passes over center), the following procedure is to be followed in order to easily raise the hy-rail wheels:

- After verifying that the hy-rail mechanism on all four (4) hy-rail wheels have been unlocked, place a 4" wood block next to the truck's tire (Stow all properly positioned gear away at this time, to prevent other gear from going over center).
- 2. Release the parking brake and drive the truck up onto the wood block. This will eliminate the need to jack up the vehicle.
- Reapply the parking brake, place the truck in park and shut off the ignition.
- 4. Reposition the hy-rail wheel and rotate the hy-rail mechanism back into its normal postion.

If any operator is not clear on this procedure, or anything in this notice, contact your supervisors. Arrangements will be made for instruction and clarification.

## THANKS AND HAVE A SAFE WEEK



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